



STATE OF MICHIGAN

Jennifer M. Granholm  
GOVERNOR

DEPARTMENT OF LABOR & ECONOMIC GROWTH  
DAVID C. HOLLISTER  
DIRECTOR

Michigan Occupational  
Safety & Health Administration  
(MIOSHA)

# **OCCUPATIONAL HEALTH STANDARDS COMMISSION MEETING**

**October 13, 2004--9:30 A.M.**

**State Secondary Complex, 7150 Harris Drive, Lansing  
General Office Building, Conference Room A**

## **MINUTES**

### **MEMBERS PRESENT:**

Mr. Richard Olson, Vice Chairperson  
Mr. Robert DeBruyn  
Dr. Robert DeYoung  
Dr. Darryl Lesoski  
Mr. Douglas Williams

### **MEMBERS ABSENT:**

Ms. Margie Vissman, Chairperson  
Mr. Michael Lucas  
Undersheriff Michael McCabe  
Ms. Cynthia Holland

### **DEPARTMENT PERSONNEL PRESENT:**

Mr. John Brennan,	Director, General Industry Safety & Health Division
Ms. Elaine Clapp,	Manager, General Industry Safety & Health Division
Ms. Dena Hendon,	Secretary, Standards Section
Mr. Douglas Kalinowski,	Director, Michigan OSHA
Mr. John Peck,	Director, Management and Technical Services Division
Ms. Marsha Parrott-Boyle,	Program Manager, Standards Section
Mr. Robert Pawlowski,	Director, Construction Safety & Health Division

### **VISITORS ATTENDING:**

Cynthia Lee, OSHA Regional Director

**Agenda Item #1—Call to Order and Roll Call**

The October 13, 2004 Occupational Health Standards Commission meeting was called to order by Vice-Chairperson Richard Olson. A roll call was taken and a quorum was present.

**Agenda Item #2—Approval of Minutes for August 4, 2004 Meeting**

A motion was made by Robert DeBruyn and was seconded by Douglas Williams to approve the minutes of the August 4, 2004 Commission meeting.

**MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #3—Standards Section Update—Marsha Parrott-Boyle, Program Manager**

**a. Richard Mirecki Letter Dated August 23, 2004**

Marsha Parrott-Boyle explained that this letter was for the commissioner's information as to the opinion of one Michigan worker who is following the proposed ergonomic standard. After discussion, a motion was made by Douglas Williams and was seconded by Robert DeBruyn to accept the letter as part of the record.

**MOTION CARRIED UNANIMOUSLY.**

**b. Standards Section Update**

Marsha Parrott-Boyle discussed the MIOSHA 5-year Strategic Plan as it effects the Standards Section. A handout stating the goal was provided.

The 3<sup>rd</sup> goal is 'Strengthen public confidence through continued excellence in the development and delivery of MIOSHA's programs and services.' This strategy addresses the standards commission specifically in 3.3B, which states: Reduce the backlog of standards to be revised by seventy percent (70%).

A second handout showed that to meet this goal approximately four (4) standards must be completed each year. To date one standard has been completed (CS-25), and five are finishing the promulgation process.

A third handout listed the 28 standards the Commissioners and MIOSHA management prioritized in 2002, which are waiting for actions as authorized by the Commissions.

**Open Advisory Committees:**

- The Ergonomic Advisory Committee has met 9 times and is working very hard to keep the standard simple yet acceptable to all organizations. A sub-committee was established to look at the cost/benefit of the standard.

- The Diisocyanates Advisory Committee have met 5 times and have requested Marsha Parrott-Boyle to bring their questions to the Commission. The problem is the Personal Exposure Limits (PEL's), which are too low in Part 301 'Air Contaminant' standard. May the Advisory Committee amend Part 301 'Air Contaminant' standard verses changing the PEL's in the diisocyanates standard?

During the discussion, they were concerned that there may be opposition to lowering limits. And if the Diisocyanates Standard stated one limit and Part 301 stated another, this would cause confusion. The consensus of the commission was for the Advisory Committee to include training and not deal with changing PEL's but to do PEL changes within Part 301. Marsha Parrott-Boyle will bring the sentiment of the commissioners to the Advisory Committee and she believes the draft may be done in 4 to 5 more meetings.

- The latex Advisory Committee is being developed with two applications to be reviewed at this meeting. Additional applicants are still needed.

The Standards Section is at full staff and proceeding accordingly.

**Agenda Item #4—General Industry Safety & Health Division Update—John Brennan,**

**Director**

John Brennan stated that the General Industry Safety and Health Division as completed 137 intra-office inspections, 28 focus inspections and more health wall to wall inspections. They have had several joint training sessions. 20 safety officers just completed a 3-day Ergonomic Training course through OSHA and Eastern Michigan University and UAW.

There is a workgroup with Construction Safety and Health Division to make the procedures for penalties, ISA's, and appeals to all use the same procedures.

To date there are 26 safety officers, 19, industrial hygienists, 2 employee discrimination representatives, we are hoping to fill a senior supervisor position and hire 4 more safety officers and 4 more industrial hygienists. The paperwork is in the process. We are also waiting for approval to hire an ergonomic specialist.

John Brennan stated there have been three new fatalities since the last meeting, one caught in conveyer, one struck-by, and one burned. This makes a total of 14 fatalities to date.

**Agenda Item #5—Construction Safety & Health Division Update--Robert Pawlowski,**

**Director**

Robert Pawlowski stated that the Construction Safety and Health Division has completed over 100 combined inspections by safety and health officers and has been very successful. As per the strategic plan, asbestos, noise and silica are still being focused on.

Letters have been sent to 24,000 contractors, associations, etc. reminding them of their obligation to do asbestos awareness training. The Consultation Education and Training Division are offering additional asbestos training courses across the state. The response has been astounding. To date an estimated 3,000 workers have completed or are being scheduled for training.

We are in the process of sending approximately 4,000 letters on excavation and trenching. In the future, additional letters and training will be initiated for silica awareness and fall protection.

Summer is the busy construction season; therefore, inspections are being made after hours and on weekends to reach as many employers/employees as possible. The overtime will continue until December.

Robert Pawlowski stated there have been 14 fatalities to date. This includes 5 falls, 2 electrocutions, and 7 crushed or struck bys.

We would have just received word of the passing of Joe Wrzesinski last night. Joe was a past Chief of the Construction Safety Division for many years. Joe had been fighting cancer for many years. His son, Paul Wrzesinski is a safety manager in the Construction Safety and Health Division.

#### **Agenda Item #6--MIOSHA Update--Douglas Kalinowski, Director**

Douglas Kalinowski stated the fiscal year 2005 budget will probably be about the same as last year for MIOSHA. However we won't know until about January. The Ergonomic Advisory Committee rider on the Budget Bill was removed at the last moment.

Douglas Kalinowski stated that MIOSHA management met for a strategic meeting and decided on the six most important items to work on in 2005. They are

1. Safety Officers and Industrial Hygienists need their classification equalized.
2. MIOSHA needs to have consistent standard interpretation within all sections.
3. Employees that work at home need better, faster Internet connections.
4. Implement a system that when a new task is given and obsolete task is removed.
5. Improve web-site.
6. Reduce the standards backlog.

Work groups have been assigned to each of these tasks. The first strategy to 'Reduce the standards backlog' is to hire a Department Analysis and to use liaisons from other divisions more.

**a. Consultation, Education, and Training Grants**

Douglas Kalinowski stated that \$1 million has been awarded in Grants for FY2005. It is very difficult to pick the recipients and we are getting more applications every year. This year we continued with last year's recipients and added four more: The four new programs are:

- Eastern Michigan University - Asbestos Awareness Training,
- Warren Conner Development Coalition - Workplace Violence on the Detroit Eastside,
- Retail Wholesale Department Store Union (RWDSU) MI Joint Council – Safety and Health in the Food Processing Industry
- Michigan Urban Search And Rescue (MUSAR) - Trench Rescue.

**b. Michigan Program-Related Fatalities – 2002**

Enclosed in your packets are the 2002 Michigan Program-Related Fatalities report and 2002 Michigan Injury And Illness Case And Demographic Data Report. These reports were assembled by MIOSHA Management Information Systems Section with the latest data available. Douglas Kalinowski suggested the commissioners take some time to review this data.

**c. MIOSHA Website Changes – 2004**

Also enclosed in your packets is a listing of the 2004 MIOSHA Website Changes, the agency is constantly working to improve our website.

**Agenda Item #7--OSHA Update--Cynthia Lee**

Cynthia Lee stated that Federal OSHA does not have a FY05 budget yet and are operating on a contingency budget. Region 5 is at their employee ceiling and there is a hiring freeze. In fy2004 they completed 6911 inspections with 35 significant cases over \$100,000. The focus continues to be on ergonomics, construction safety, telecommunication towers, and amputations.

Ms. Lee distributed a copy of the OSHA Trade News Release dated October 1, 2004 stating that they will publish the proposed rule for occupational exposure to Hexavalent Chromium in the October 4, 2004 Federal Register. The News Release provided the Fact Sheet on the proposed rule. The rule should be final in January 2006; Michigan will have six months from that date to promulgate a rule.

More than \$10.5 million in Susan Harwood Training Grants have been awarded to 69 nonprofit organizations for safety and health training and educational programs. The grants support the development of training materials to educate: Hispanic and other non-English speaking workers; employers in small businesses; and workers and employers in high hazard industries and industries with high fatality, injury and illness rates. Two grants were awarded in Michigan:

1. International Union, United Auto Workers (UAW), Detroit, Mich., \$230,250
2. Southeast Michigan Coalition for Safety and Health (SEMCOSH), Detroit, MI, \$90,000

Ms. Lee announced that Douglas Kalinowski was appointed by the Secretary of Labor to the Federal Advisory Committee on Construction Safety. She also reminded the commissioners to continue to look at the OSHA web-site as it is continually growing and has good information.

**Agenda Item #8--Old Business**

**a. ACGIH TLVs/MIOSHA PELs**

Marsha Parrott-Boyle praised Vice-Chairperson Richard Olson for his work on the comparisons of the limits in the MIOSHA General Industry Air Contaminants Standard Part 301 with ACGIH.

Vice-Chairperson Richard Olson explained that Michigan and OSHA limits are out-of-date with current science. Further effort is needed to identify the most significant limits that need changing.

It was noted that construction air contaminant exposure limits (OH Part 601) are even less up-to-date (1969 values) than the current general industry 1989 values.

**Agenda Item #9--New Business**

**a. Advisory Committee Applications--Marsha Parrott-Boyle**

**1. Kenneth Sailor – Ergonomic Advisory Committee as Management Representative**

A motion was made by Robert DeBruyn and was seconded by Darryl Lesoski to appoint Kenneth Sailor as Management Representative on the Ergonomics Standard Advisory Committee. **MOTION CARRIED UNANIMOUSLY.**

**2. Dr. Tony Burton – Latex Advisory Committee as Technical Advisor**

A motion was made by Douglas Williams and was seconded by Robert DeBruyn to appoint Tony Burton as Technical Advisor on the Latex Standard Advisory Committee.

**MOTION CARRIED UNANIMOUSLY.**

**3. Dee Tyler – Latex Advisory Committee as Management Representative**

A motion was made by Douglas Williams and was seconded by Darryl Lesoski to appoint Dee Tyler as Management Representative on the Latex Standard Advisory Committee.

**MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #10—Elections—Marsha Parrott-Boyle**

**a. Nominations for Chairperson and Vice Chairperson for 2004**

A motion was made by Douglas Williams and was seconded by Robert DeYoung to elect Richard Olson as Chairperson for Occupational Health Standard Commission for 2005.

**MOTION CARRIED UNANIMOUSLY.**

A motion was made by Douglas Williams and was seconded by Robert DeBruyn to elect Robert DeYoung as Vice-Chairperson for Occupational Health Standard Commission for 2005.  
**MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #10--Next Meeting—December 1, 2004--Lansing**

**a. Schedule 2005 Meetings**

Marsha Parrott-Boyle suggested that commission meeting will be on the second Wednesday, every third month and the following dates and location were agreed upon for 2005.

March 9, 2005	9:30 am	General Office Building, 7150 Harris Drive, Lansing –Conference Room B
June 8, 2005	9:30 am	General Office Building, 7150 Harris Drive, Lansing –Conference Room B
September 14, 2005	9:30 am	General Office Building, 7150 Harris Drive, Lansing –Conference Room B
December 14, 2005	9:30 am	General Office Building, 7150 Harris Drive, Lansing –Conference Room B

**Agenda Item #11--Public Comment**

None

**Agenda Item #12--Adjournment**

A motion was made by Douglas Williams and was seconded by Robert DeBruyn that with no further business before the Commission, the meeting be adjourned.

**MOTION CARRIED UNANIMOUSLY**

**Mr. Richard Olson, Chairperson, March 9, 2005**

**Minutes approved and signed at the March 9, 2005 Occupational Health  
Standard Commission meeting.**